

ORDINANCE NO. 001130-43

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "ANDERSON DEVELOPMENT TRACT AREA", CONSISTING OF APPROXIMATELY 135 ACRES OF LAND OUT OF THE SAMUEL CUSHING SURVEY NO. 70 AND THE LUCAS MUNOS SURVEY NO. 55, LOCATED IN TRAVIS COUNTY, TEXAS; APPROVING A SERVICE PLAN FOR THE ANNEXED TERRITORY; ESTABLISHING CERTAIN INTERIM ZONING CLASSIFICATIONS; AND WAIVING CERTAIN FEES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- (A) Notice of two public hearings concerning annexation of the territory described in Exhibit A was published in a newspaper of general circulation in the City of Austin and in the area to be annexed.
- (B) The public hearings were held on October 26, 2000 and November 2, 2000 at 6:00 p.m. at the Lower Colorado River Authority, Hancock Building, 3700 Lake Austin Boulevard, Austin, Texas.
- (C) The public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation. A proposed Service Plan was made available and explained at the public hearings as required by state law.
- (D) The annexation, for full purposes, of the territory described in Exhibit A serves the interest of the current and future residents of the City of Austin.
- (E) All procedural requirements imposed by state law for the full purpose annexation of the territory described in Exhibit A have been met.

PART 2. The present boundary limits of the City are amended to include the following territory which is within the full purpose jurisdiction and the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas, and which is annexed into the City for the full purposes:

135 acres of land, more or less, same being out of and a part of the Samuel Cushing Survey No. 70 and the Lucas Munos Survey No. 55, which 135 acres of land, more or less, are to be taken into and made a part of the City of Austin, Travis County, Texas; said 135 acres of land, more or less, being more particularly described in Exhibit A.

PART 3. The Service Plan attached as Exhibit B is approved as the Service Plan for the area.

PART 4. The City Council declares that its purpose is to annex to the City of Austin each part of the area described in Exhibit A as provided in this ordinance, whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance to the remainder of the area.

If any area or lands included within the description of the area set out in Exhibit A are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town, or village; or (3) are not within the jurisdiction or power of the City of Austin to annex, then that area is excluded and excepted from the area annexed.

PART 5. The Council waives the interim zoning classification requirement of Section 25-2-222 of the City Code for the properties in Exhibit "C" and classifies those properties as follows:

28.36 acres of land, more or less, as more particularly described in Exhibit "C-1", is classified as interim multi-family residence medium density (I-MF-3);

22.87 acres of land, more or less, as more particularly described in Exhibit "C-2", is classified as interim multi-family residence medium density (I-MF-3);

22.87 acres of land, more or less, as more particularly described in Exhibit "C-3", is classified as interim multi-family residence medium density (I-MF-3);

41.35 acres of land, more or less, as more particularly described in Exhibit "C-4", is classified as interim community commercial (I-GR); and

Lot 1, Block A, Dessau Corner Subdivision, as more particularly described in Exhibit "C-5" is classified as interim community commercial (I-GR).

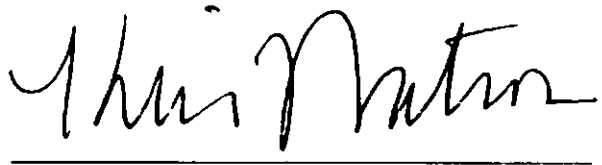
PART 6. Zoning application fees are waived for property within the annexed area for a period of one year from the effective date of annexation.

PART 7. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.


PART 8. This ordinance takes effect on December 31, 2000.

PASSED AND APPROVED

November 30, 2000

§
§
§ 

Kirk Watson
Mayor

APPROVED: 
Andrew Martin
City Attorney

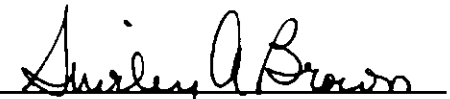
ATTEST: 
Shirley A. Brown
City Clerk

Exhibit "A"

10-43

C7a-00-009

Area to be annexed
(135 acres of land
out of the Samuel
Cushing Survey No.70,
and the Lucas Munos
Survey No.55 in
Travis County, Texas)
(Dessau Corner
Subdivision and
Unplatted Land)
(Portions of Parmer
Lane, Dessau Road,
and Yager Lane)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR APPROXIMATELY 135
ACRES OF LAND BEING OUT OF THE SAMUEL
CUSHING SURVEY NO.70, AND THE LUCAS
MUNOS SURVEY NO.55 IN TRAVIS COUNTY,
TEXAS, WHICH APPROXIMATELY 135 ACRES OF
LAND ARE TO BE TAKEN INTO AND MADE A PART
OF THE CITY OF AUSTIN, TRAVIS AND
WILLIAMSON COUNTIES, TEXAS, SAID
APPROXIMATELY 135 ACRES OF LAND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the intersection of the present corporate
limit line of the City of Austin as adopted by an ordinance
dated December 19, 1985 (Case No.C7a-85-024), which line is
the west right-of-way line of Dessau Road, with the north
right-of-way line of Parmer Lane, which line is the proposed
corporate limit line of the City of Austin, which point of
beginning is the northwest corner of the herein described
tract of land;

THENCE, with the proposed corporate limit line of the City of Austin, which line is the north right-of-way line of said Parmer Lane, in an easterly direction to a point in the north right-of-way line of Yager Lane;

THENCE continuing with the proposed corporate limit line of City of Austin, which line is the north right-of-way line of Yager Lane, in an easterly direction to the northeast corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated April 10, 1997, (Case No.C7a-97-001);

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated April 10, 1997, (Case No.C7a-97-001), crossing said Yager Lane, in a southerly direction to an exterior ell corner of the herein described tract of land, same being a point in the south right-of-way line of said Yager Lane;

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated April 10, 1997, (Case No.C7a-97-001) in a westerly direction to the to an interior ell corner of the herein described tract of land;

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated April 10, 1997, (Case No.C7a-97-001), and another ordinance dated February 29, 1996, (Case No.C7a-96-001), in a southerly, easterly, and southerly directions, to the southeast corner of the herein described tract of land;

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated February 29, 1996, (Case No.C7a-96-001), in a westerly direction to the southwest corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated December 19, 1985 (Case No.C7a-00-009), which line is the west right-of-way line of Dessau Road;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 19, 1985 (Case No.C7a-00-009), which line is the west right-of-way line of Dessau Road in a northerly direction to the point of beginning.

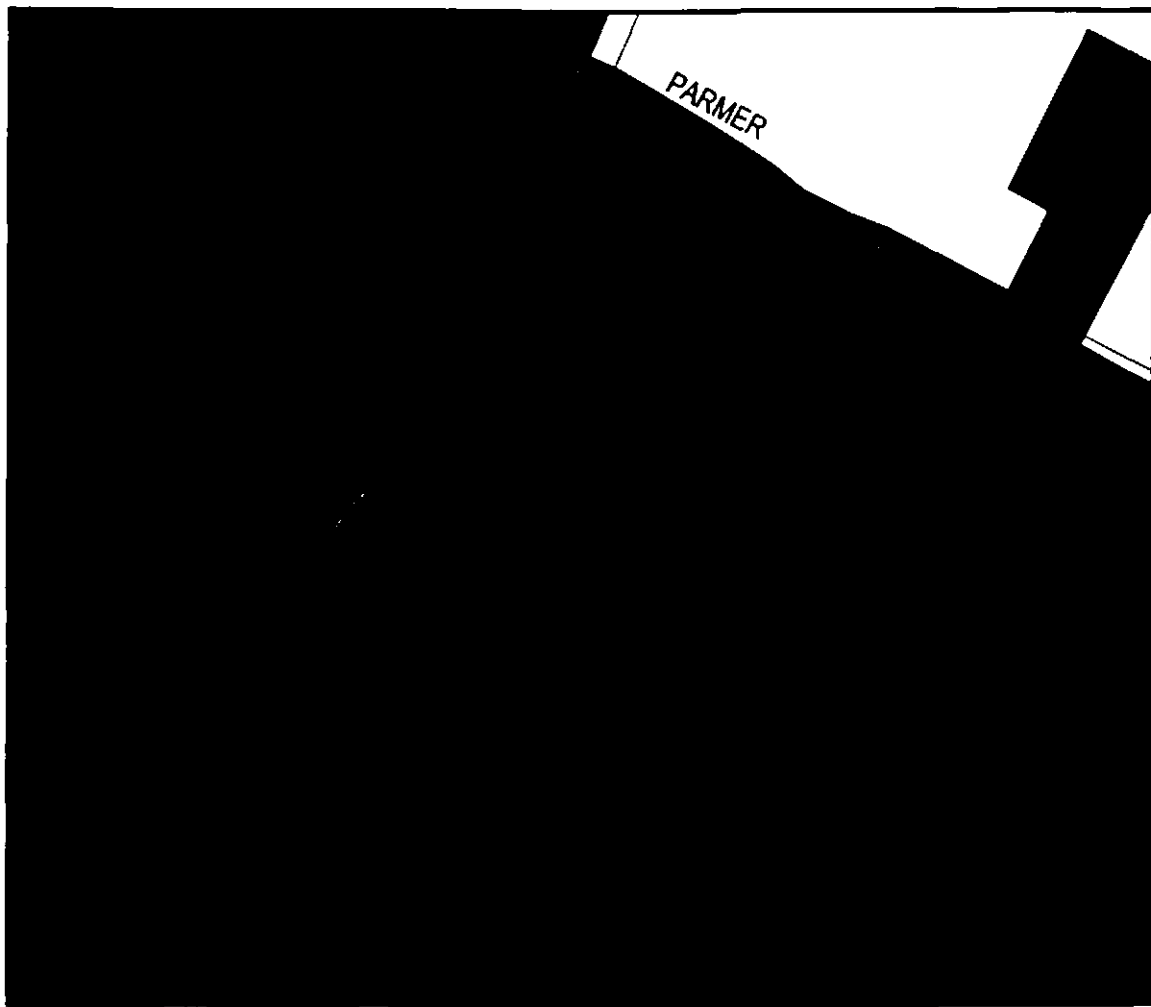
LEGAL DESCRIPTION: Al Martinez APPROVED:
09-28-00






John E. Moore, RPLS NO.4520
Infrastructure Support Services
Engineering File Room

REFERENCES

TCAD 2 4231 & 2 5131
Austin Grid N31 & 32, P32



	Proposed Annexation Area
	City of Austin Full Purpose
	City of Austin Limited Purpose

C7a-00-009 - Anderson Development Tract Area - Area to be Annexed for Full Purposes

135 acres of land, more or less, out of the Samuel Cushing Survey No. 70, and the Lucas Munos Survey No. 55 in Travis County, Texas, Dessau Corner Subdivision and Unplatted Land, Portions of Parmer Lane, Dessau Road, and Yager Lane

Exhibit “B”



CITY OF AUSTIN

ANNEXATION SERVICE PLAN

Case Name: Anderson Development Tract

Case Number: C7a-00-009

Date: November 2, 2000

INTRODUCTION

This Service Plan ("Plan") is made by the City of Austin, Texas ("City") pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation to the City of a tract of land ("annexation area") known as the Anderson Development Tract. The annexation area includes approximately 135 acres and is located at the southeast corner of the intersection of Parmer Lane and Dessau Road. The annexation area is bounded to the north by Parmer Lane and on the west, south and east by the existing City limits.

The annexation area is undeveloped. The area is located in Travis County, Texas. The annexation area is described by metes and bounds in Exhibit A, which is attached to this Plan and to the annexation ordinance of which this Plan is a part. The annexation area is also shown on the map in Exhibit A.

EFFECTIVE TERM

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

INTENT

It is the intent of the City of Austin that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code.

The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

SERVICE COMPONENTS

In General. This Plan includes three service components: (1) the Early Action Program, (2) Additional Services, and (3) a Capital Improvement Program.

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract, in whole or in part. It may also include separate agreements with associations or similar entities.

1. EARLY ACTION PROGRAM

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

a. Police Protection. The Austin Police Department ("APD") will provide protection and law enforcement services in the annexation area. These services include:

- normal patrols and responses;
- handling of complaints and incident reports;
- special units, such as, traffic enforcement, criminal investigations, narcotics, gang suppression, and special weapons and tactics team.

b. Fire Protection. The Austin Fire Department ("AFD") will provide emergency and fire prevention services in the annexation area. These services include:

- Fire suppression and rescue;
- Emergency medical services first response for Austin Emergency Medical Services Department on life threatening medical emergencies;
- Hazardous materials mitigation and regulation;
- Emergency prevention and public education efforts;
- Dive rescue;
- Technical rescue;
- Aircraft/rescue/firefighting;
- Construction plan review;
- Inspections;
- Rescue/hazardous materials unit.

These services are provided on a City-wide basis by over 950 employees operating from 39 emergency fire stations and other non-emergency sites. All Austin firefighters are certified by the Texas Commission on Fire Protection.

AFD will serve this area from AFD Station 41 located 11205 Harris Branch Parkway, 3 miles from the property, and from proposed Station 42, sited at the intersection of Harris Glenn/Parmer Lane and anticipated to open in November 2001, 1 mile from the property.

AFD serves as the first responder on life threatening emergencies for Austin EMS. All AFD personnel are certified at an Emergency Medical Technician ("EMT") level or higher. All engines (pumpers), ladder trucks, and rescue units carry Automatic External Defibrillators for use with heart attach victims.

c. Emergency Medical Service. The City of Austin Emergency Medical Services ("EMS") Department is the current provider of emergency medical services in the annexation area and will continue to provide service following annexation.

Austin EMS will provide the following emergency and safety services to the annexation area:

- Emergency dispatch, pre-arrival First Aid instructions and coordination of other public safety support agencies
- Emergency paramedic ambulance response
- Emergency air rescue response (EMS, Fire and Law Enforcement)
- Medical rescue services including: vehicle, high & low angle, confined space, & water rescue, HAZMAT, Bio-terrorism, SWAT tactical support
- Specialized standby services
- CPR, First Aid and Automatic Emergency Defibrillation (AED) training
- Emergency Medical Services public education demonstrations on EMS emergency operations, safety awareness and accident prevention.

These services are provided on a Countywide basis by over 267 Operation Division employees from the EMS Emergency Communications Center, 24 EMS stations and two administrative office locations. All Austin EMS Operations employees assigned to field duties are certified or licensed by the Texas Department of Health as EMT-Paramedics.

Austin EMS will serve this location from EMS Medic station 23 located at 11205 Harris Branch Parkway and Austin EMS Medic station 18 located at 1021 West Braker Lane.

The Austin Fire Department will provide emergency medical first response to all patients in a life-threatening situation. All AFD personnel are certified at the Emergency Medical Technician (EMT) level or higher and assist EMS personnel providing patient care.

d. **Solid Waste Collection.** The Austin Solid Waste Services Department will provide services in the area. Services will be provided by City personnel or by solid waste service providers under contract with the City. Services currently provided in the City for single family residences, including duplex, triplex and fourplex dwelling units, include:

- garbage collection – once per week cart collection in accordance with City Pay-As-You-Throw guidelines;
- recycling collection – once per week curbside collection, materials collected include newspaper, magazines, catalogs, junk mail, corrugated cardboard; tin, steel and aluminum cans, glass bottles and jars, plastic bottles (#1 and #2);
- yard trimmings collection – once per week residential collection in paper bags or reusable containers;

Commercial garbage collection service for businesses is available on a subscription basis from the City or private service providers.

e. **Maintenance of Water and Wastewater Facilities.** Water and wastewater services will be provided through facilities located within or adjacent to the area. The facilities will be maintained and operated by the City's Water and Wastewater Utility as governed by standard policies and procedures, and under the provisions of the attached City service extension policy.

f. **Maintenance of Roads and Streets, Including Street Lighting.** The Street and Bridge Division of the Department of Public Works and Transportation will maintain public streets over which the City has jurisdiction. Austin Energy will maintain any existing street lights. These services include:

- Emergency pavement repair;
- Ice and snow monitoring of major thoroughfares;
- Street maintenance. Maintenance activities include crack seal, sealcoat, slurry seal, and PM overlay.
- Repair maintenance of public streets on an as-needed basis. Repair maintenance operations include pothole repair, filling depressions (level up), spot surface replacement, spot full-depth repair, and utility cut repairs;
- Repair and maintenance of street lights on an as-needed basis.

All publicly dedicated and accepted streets in the area will be included in the City's preventive maintenance program. A segment of Parmer Lane within the area will continue to be a state maintained road after annexation. Preventative maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition (distresses), rideability (smoothness), age, traffic volume, functional classification, and available funding. Any necessary rehabilitation or reconstruction will be considered on a City-wide priority basis.

If necessary, the Transportation Division of the Transportation and Public Works Department will also provide regulatory signage services in the annexation area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are

installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service provided 24 hours a day, 365 days a year for emergency sign repair.

For major arterials and collectors, the repainting of street markings is on a six to twelve month frequency. All improved intersections and roadways are striped upon improvement. All roadways are restriped and remarked as needed.

Street lighting will be maintained by the Electric Utility in accordance with applicable state law and the City's policies.

g. Maintenance of Parks, Playgrounds, and Swimming Pools. There are no public recreation facilities in the area. City parks in the vicinity include Big Walnut Creek Greenbelt as well as nearby neighborhood parks.

Recreational facilities and area amenities, including parks, pools, and medians, that are privately owned, maintained, or operated will be unaffected by the annexation.

h. Maintenance of Any Other Publicly-Owned Facility, Building, or Service. Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the annexation area, an appropriate City department will provide maintenance services for them.

2. ADDITIONAL SERVICES

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

a. Watershed Protection Department. The City of Austin's Watershed Protection Department will provide drainage maintenance services in the annexation area. Drainage planning and maintenance are fee-based services. Services provided by the Watershed Protection Department include:

- detention and water quality pond inspections;
- detention and water quality pond maintenance (residential only);
- open waterway maintenance and stabilization;
- storm sewer maintenance and rehabilitation;
- watershed development review and inspection;
- emergency spills and pollution complaints response;
- storm sewer discharge pollution prevention (commercial only);
- water quality education and assessments for creeks;
- underground hazardous materials storage and leak prevention program;
- flood plain office (information relating to flood plains);
- flood early warning system;
- drainage engineering, environmental and tree preservation review and inspection;
- commercial landscape review and inspection (commercial only).

b. Library. The library nearest to this proposed annexation area is the Little Walnut branch at 835 W. Rundberg Ln. The Little Walnut branch is an 11,000 square foot facility housing approximately 55,000 volumes. This branch offers a full range of library services including reference assistance, adult and children's programming and meeting rooms for community use. Residents of this annexation area may use this or any other of the Library Department's twenty public service facilities free of charge.

c. Austin/Travis County Health and Human Services Department. Upon annexation, the following services will be available from the Department.

- investigation of public health related complaints including foodborne illness, on-site sewage facility (OSSF) systems, recreational water quality, tall weeds and grass, litter abatement and public swimming pools and spas;
- enforcement of the City's smoking in public places ordinance and the minor's access to tobacco ordinance;
- inspection of food establishments, child care facilities, OSSF systems;
- investigation of reported elevated blood levels in children;
- animal services including leash law, pet licensing and rabies control;
- access to community health clinics;
- Medical Assistance Program benefits;
- rodent and vector control consultation.

d. Electric Utility Department. The Electric Utility Department will continue to provide electric utility service to all areas which the City is authorized to serve by the Public Utility Commission of Texas.

e. Anti-litter Services. The Austin Solid Waste Services Department will provide anti-litter services in the annexed area. Services currently provided in the City include:

- bulky item collection – twice per year; a notice to customers is provided in advance of the pickup date;
- large brush collection – twice per year; a notice to customers is provided in advance of the pickup date;
- street sweeping service – approximately six (6) times per year for streets with curb and gutter;
- dead animal collection – dead animals are removed from roadways upon request;
- household hazardous waste drop-off facility – use of facility on regularly scheduled days of operation

f. Other Services. All other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

3. CAPITAL IMPROVEMENTS PROGRAM

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

a. Police Protection. No capital improvements are necessary at this time to provide Police services.

b. Fire Protection. No capital improvements are necessary at this time to provide Fire services.

c. Emergency Medical Service. No capital improvements are necessary at this time to provide EMS services.

d. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services.

e. Water and Wastewater Facilities. No capital improvements are necessary at this time to provide water or wastewater service to this area. The area is covered by an approved water service extension (WSER 1992) and an approved wastewater service extension (SER 1989).

Water and wastewater services to new development and subdivisions will be provided according to the standard policies and procedures of the Water and Wastewater Utility, which may require the developer of a new subdivision to install water and wastewater lines. The extension of water and sewer service will be provided in accordance with the attached water and wastewater service extension policy.

f. Roads and Streets. No road or street related capital improvements are necessary at this time. In general, the City will acquire control of all public roads and jurisdiction in, over and under all public roads and public streets within the annexation area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.

g. Parks, Playgrounds and Swimming Pools. No capital improvements are necessary at this time to provide services.

h. Watershed Protection Department. No capital improvements are necessary at this time to provide services.

i. Street Lighting. It is anticipated that the developer of new subdivisions in the area will install public street lighting in accordance with the City's standard policies and procedures. Provision of street lighting will be in accordance with the City's street lighting policies.

j. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

k. Capital Improvements Planning. The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services.

AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

FORCE MAJEURE

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

**SUMMARY OF THE WATER AND WASTEWATER UTILITY
SERVICE EXTENSION POLICY (1997)**

The following information is a summary of the Water and Wastewater Utility Service Extension Policy, Chapters 25-1 through 25-5 and 25-9 of the 1999 Austin Code of Ordinances Volume II, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy.

Water and wastewater service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or wastewater facilities connecting to the City system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property does not have City water or wastewater service fronting the property, the owner may make an application for an extension of service to the Director of the Water and Wastewater Utility for review. If the Director determines that adequate capacity is available, or will be, and if the project does not include City cost participation or reimbursement, and if the proposed facilities are a logical extension of the City's Water and Wastewater System and the requested extension otherwise meets the requirements of Chapter 25-9, the extension size, capacity, and routing may be approved by the Director for funding and construction by the developer.

Depending on the size of the new facilities and other conditions, with City Council approval, the City may reimburse the developer for part of the cost of constructing certain facilities. With City Council approval, the City may cost participate by reimbursing costs associated with the oversize capacity of wastewater mains larger than 8 inches in diameter but less than 18 inches, and of water mains greater than 12 inches but less than 24 inches in diameter. With City Council approval, the City may reimburse to the developer the construction cost of the full capacity of wastewater facilities 18 inches in diameter or larger, and water facilities 24 inches in diameter or larger, as well as other facilities such as reservoirs or pumps. The actual calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in the Land Development Code.

For lots that have water or wastewater lines in the street fronting the lot, the owner may receive water or wastewater service by applying for a tap permit and paying any required fees. The new customers will be required to pay the impact fees and all connection fees. However, if the tap is purchased within two years of the completion of the line by the City, the impact fee will be waived.

As long as a property is using a septic system, the property owner remains responsible for the operation and maintenance of the septic system. If the septic system fails before the City sewer service is extended to the property, the property owner must repair the system. Under certain circumstances the Austin Health and Human Services Department/Travis County Health Department may require connection to the City sewer facilities.

This policy is set by the City Council and can be amended in the future by ordinance.

Exhibit "C-1"

28.36 Acres
Parmer Park
Most Southerly Parcel

FN00-009 (AY)
January 19, 2000
JOB NO. 050066-001

A DESCRIPTION OF 28.36 ACRES OF LAND OUT OF THE LUCAS MUNOS SURVEY NO. 55, ABSTRACT 513 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 114.91 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO PARMER PARK L.P., RECORDED IN DOCUMENT NO. 1999093012 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 28.36 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the east right-of-way line of Austin Dessau Road, being the west line of the said 114.91 acre tract and being the southwest corner of the said tract,

THENCE, with the said east right-of-way line of Austin Dessau Road, the following five (5) courses:

1. a distance of 230.02 feet with an arc of a curve to the left whose central angle is 10° 55' 43", with a radius of 1205.93 feet and whose chord bears N 58° 01' 17" E, a distance of 229.67 feet to a point,
2. N 64° 07' 54" E, 9.02 feet to a point,
3. a distance of 338.93 feet with an arc of a curve to the left whose central angle is 38° 16' 02", with a radius of 507.47 feet and whose chord bears N 44° 59' 54" E, a distance of 332.67 feet to a point,
4. N 25° 51' 54" E, 13.95 feet to a 1/2-inch iron rod found,
5. N 40° 28' 05" E, 128.87 feet to a point,

THENCE, leaving the said east right-of-way line of Austin Dessau Road, and crossing the said 114.91 acre tract, S 59° 59' 12" E, 1751.03 feet to a point, on the east line of the said 114.91 acre tract,

THENCE, with said east line of the 114.91 acre tract, S 29° 55' 00" W, 676.65 feet to a 1/2-inch iron rod found, on the south line of the said 114.91 acre tract, being the southeast corner of the said tract,

THENCE, with the said south line of the 114.91 acre tract, the following two (2) courses:

1. N 59° 59' 12" W, 1441.03 feet to a nail found,
2. N 59° 30' 41" W, 532.46 feet, to the **POINT OF BEGINNING** and containing 28.36 acres of land,

THE STATE OF TEXAS

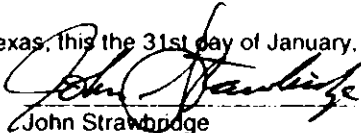
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, John Strawbridge, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 31st day of January, 2000 A.D.

Carter & Burgess, Inc.
901 South Mopac Blvd., Suite 200
Austin, Texas 78746


John Strawbridge
Registered Professional Land Surveyor
No. 4283 - State of Texas



AUSTIN DESSAU RD

SCALE : 1" = 300'
JANUARY, 2000
TRAVIS COUNTY, TEXAS



LEGEND
● IRON ROD FOUND
▲ NAIL FOUND
△ CALCULATED POINT

N 25°51'54" E
13.95'

DELTA=38°16'02"
R=507.47'
L=338.93'
CB=N44°59'54"E
C=332.67'

N 64°07'54" E
9.02'

POINT OF
BEGINNING

N 59°30'41" W
532.46'

DELTA=10°55'43"
R=1205.93'
L=230.02'
CB=N58°01'17"E
C=229.67'

N 40°28'05" E
128.87'

ELEC ESMT
VOL. 551, PG. 463

APPROX SURVEY LINE

PARMER PARK, L.P.
114.91 ACS
DOC. NO. 1999093012

S 59°59'12" E 1751.03'

28.36 ACRES

N 59°59'12" W 1441.03'

S 29°55'00" W 676.65'

LUCAS MUNOS SURVEY NO 55
ABST. 513

ART COLLECTION INC.
VOL. 13270, PG. 1369

DRAWING to ACCOMPANY FIELDNOTE No. FN00-009



Carter & Burgess
Surveying
Carter and Burgess, Inc.

901 South MoPac Expressway Bldg. 5 Suite 200
Austin, Texas 78746
(512)314-3100 Fax (512)314-3135

Exhibit "C-2"

A DESCRIPTION OF 22.87 ACRES OF LAND OUT OF THE SAMUEL CUSHING SURVEY NO. 70, ABSTRACT 164 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF CALLED 114.91 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO PARMER PARK L.P., RECORDED IN DOCUMENT NO. 1999093012, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 22.87 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch iron rod found on the east right-of-way line of Austin Dessau Road, being the west line of a 28.36 acre tract as recorded in Document No. 200004179 of the Real Property Records of Travis County, Texas, being the southwest corner of the said tract,

THENCE, with the said east right-of-way line of Austin Dessau Road, the following five (5) courses:

1. a distance of 230.01 feet with an arc of a curve to the left whose central angle is 10° 55' 43", with a radius of 1205.93 feet and whose chord bears N 58° 01' 17" E, a distance of 229.67 feet to a 5/8-inch iron rod found,
2. N 64° 07' 54" E, 9.02 feet to a 5/8-inch iron rod found,
3. a distance of 338.93 feet with an arc of a curve to the left whose central angle is 38° 16' 02", with a radius of 507.47 feet and whose chord bears N 44° 59' 54" E, a distance of 332.67 feet to a 5/8-inch iron rod found ,
4. N 25° 51' 54" E, 13.95 feet to a 1/2-inch iron rod found,
5. N 40° 28' 05" E, 726.18 feet to a 5/8-inch iron rod set, for the **POINT OF BEGINNING** of the herein described tract,

THENCE, continuing with the said east right-of-way line of Austin Dessau Road, N 40° 28' 05" E, 639.62 feet to a 5/8-inch iron rod set,

THENCE, leaving the said east right-of-way line of Austin Dessau Road, and crossing the said remainder 114.91 acre tract, S 59°59'12" E, 1225.40 feet to a 3-inch iron pipe found on a east line of the said remainder 114.91 acre tract,

THENCE with the said east line of the remainder 114.91 acre tract the following two courses:

1. S 60° 33' 36" E, 299.13 feet to a 3-inch iron pipe found,
2. S 29° 55' 00" W, 632.00 feet to a 5/8-inch iron rod set,

THENCE leaving the said east line of the 114.91 acre tract, and crossing the said tract the N 59°59'12" W, 1641.65 feet to the **POINT OF BEGINNING** and containing 22.87 acres of land,

THE STATE OF TEXAS

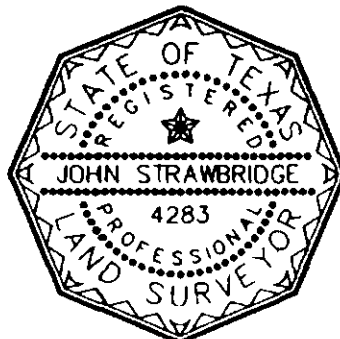
KNOW ALL MEN BY THESE PRESENTS:

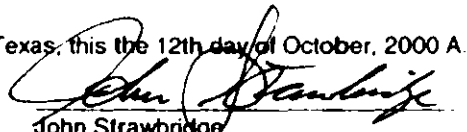
COUNTY OF TRAVIS

That I, John Strawbridge, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief.

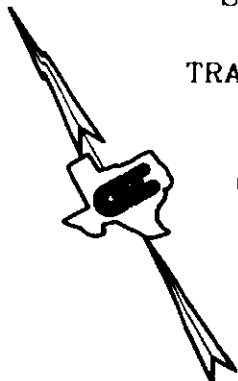
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12th day of October, 2000 A.D.

Carter & Burgess, Inc.
901 South Mopac Blvd., Suite 200
Austin, Texas 78746




John Strawbridge
Registered Professional Land Surveyor
No. 4283 - State of Texas

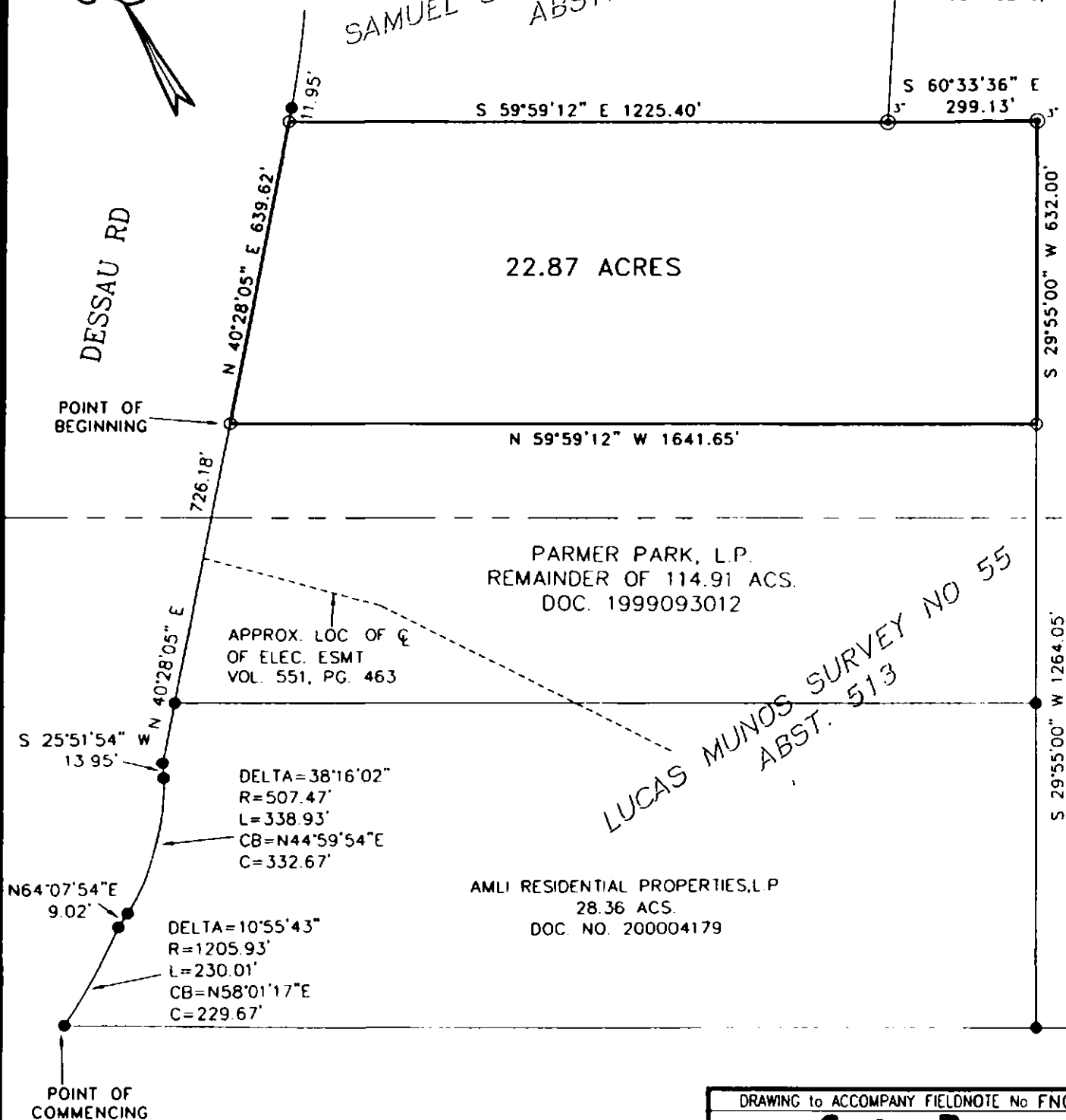
SCALE : 1" = 300'
OCTOBER, 2000
TRAVIS COUNTY, TEXAS



- LEGEND**
- IRON ROD FOUND
 - ⊙ IRON PIPE FOUND
 - IRON ROD SET

SAMUEL CUSHING SURVEY NO 70
ABST. 164

ART COLLECTION INC.
VOL 13270, PG 1369



ART COLLECTION INC.
VOL. 13270, PG 1369

DRAWING to ACCOMPANY FIELDNOTE No FN00-085

Carter & Burgess
Surveying

Carter and Burgess, Inc.

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Exhibit "C-3"

22.87 Acres
Parmer Park

FN00-037(A.Y)
April 25, 2000
JOB NO. 050066-001

A DESCRIPTION OF 22.87 ACRES OF LAND OUT OF THE LUCAS MUNOS SURVEY NO. 55, ABSTRACT 513, AND THE SAMUEL CUSHING SURVEY NO. 70, ABSTRACT 164 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 114.91 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO PARMER PARK L.P., RECORDED IN DOCUMENT NO. 1999093012 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 22.87 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch iron rod found on the east line of the said 114.91 acre tract and being the southeast corner of the said tract,

THENCE, with the said east line of the 114.91 acre tract, N 29° 55' 00" E, 676.65 feet to a 5/8-inch iron rod set for the **POINT OF BEGINNING** of the herein described tract,

THENCE, leaving the said east line of the 114.91 acre tract, and crossing the said tract, N 59° 59' 12" W, 1751.03 feet to a 5/8-inch iron rod set, on the east right-of-way line of Austin Dessau Road, being the west line of the said 114.91 acre tract,

THENCE, with the said east right-of-way line of Austin Dessau Road, N 40° 28' 05" E, 597.31 feet to a 5/8-inch iron rod set,

THENCE, leaving the said east right-of-way line of Austin Dessau Road, and again crossing the said 114.91 acre tract, S 59° 59' 12" E, 1641.65 feet to a 5/8-inch iron rod set, on the said east line of the 114.91 acre tract,

THENCE, with the said east line of the 114.91 acre tract, S 29° 55' 00" W, 587.40 to the **POINT OF BEGINNING** and containing 22.87 acres of land,

THE STATE OF TEXAS

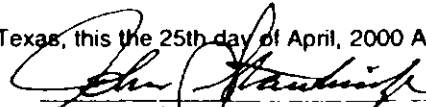
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, John Strawbridge, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief.

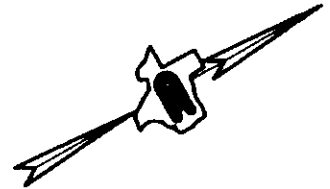
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 25th day of April, 2000 A.D.

Carter & Burgess, Inc.
901 South Mopac Blvd., Suite 200
Austin, Texas 78746


John Strawbridge
Registered Professional Land Surveyor
No. 4283 - State of Texas

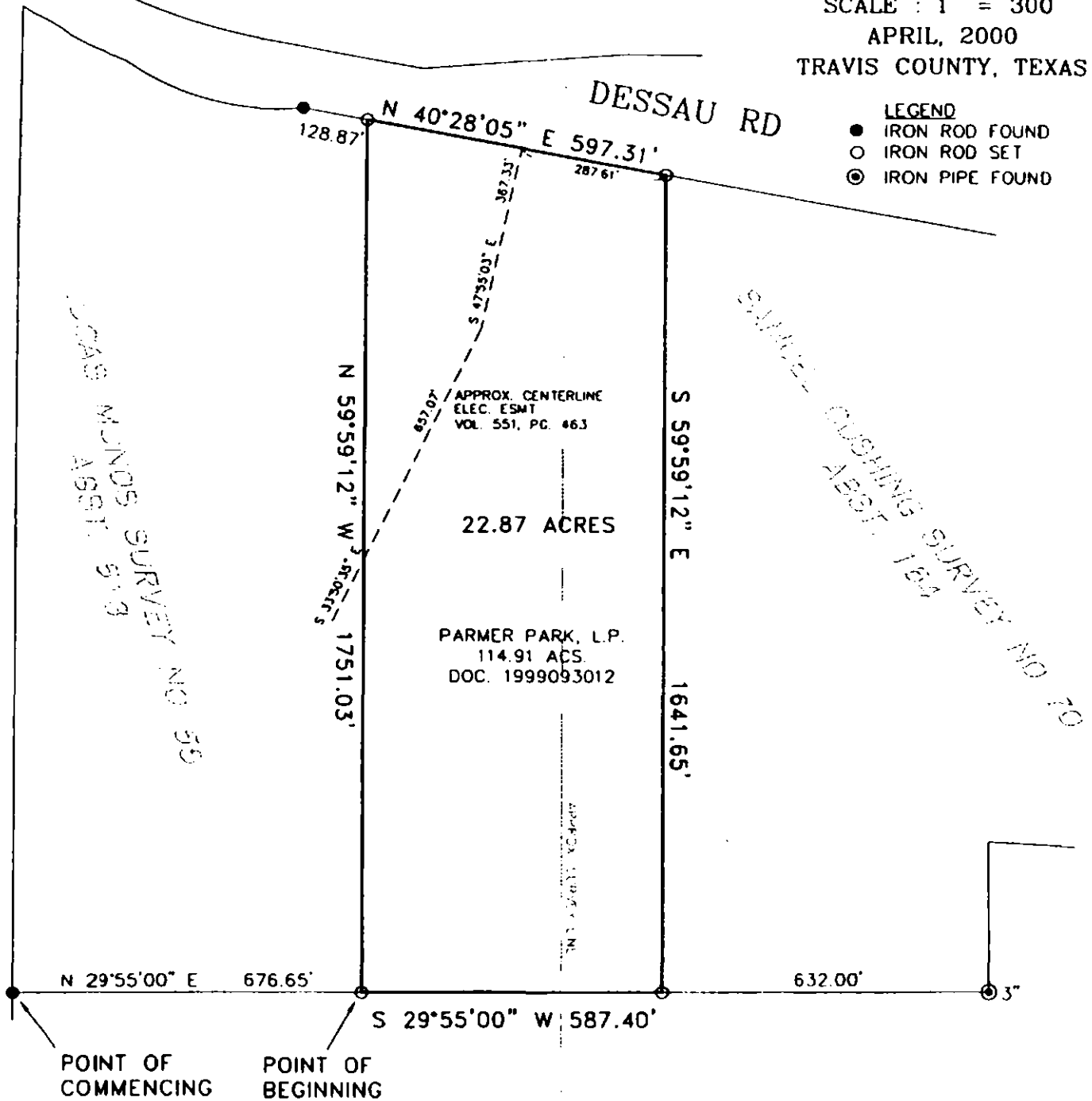


High Pointe Fellowship
Vol. 13153, Pg. 3583



SCALE : 1" = 300'
APRIL, 2000
TRAVIS COUNTY, TEXAS

LEGEND
● IRON ROD FOUND
○ IRON ROD SET
◎ IRON PIPE FOUND



ART COLLECTION INC.
VOL. 13270, PG. 1369

DRAWING to ACCOMPANY FIELDNOTE No. 00-037



Carter-Burgess
Surveying

Carter and Burgess, Inc.

901 South MoPac Expressway Bldg. 5 Suite 200
Austin, Texas 78746
(512)314-3100 Fax (512)314-3135

Exhibit "C-4"

A DESCRIPTION OF 41.35 ACRES OF LAND OUT OF THE SAMUEL CUSHING SURVEY NO. 70, ABSTRACT 164 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF, THE REMAINDER OF A CALLED 114.91 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO PARMER PARK L.P., RECORDED IN DOCUMENT NO. 1999093012, ALL OF A CALLED 0.117 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO PARMER PARK L.P., RECORDED IN DOCUMENT NO. 1999082661, AND ALL OF A CALLED 0.436 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO PARMER PARK L.P., RECORDED IN DOCUMENT NO. 2000009698, ALL IN THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 41.35 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron rod found on the east right-of-way line of Austin Dessau Road, being the west line of the said remainder 114.91 acre tract, being the southwest corner of the said tract, and being the northwest corner of a 28.36 acre tract to Amli Residential Properties, L.P. recorded in Document No. 200004179 of the Real Property Records of Travis, County Texas,

THENCE, with the said east right-of-way line of Austin Dessau Road, N 40° 28' 05" E, 1236.94 feet, to a 5/8-inch iron rod set, for the **POINT OF BEGINNING** of the herein described tract,

THENCE, continuing with the said east right-of-way line of Austin Dessau Road, the following seven (7) courses:

1. N 40° 28' 05" E, 11.95 feet to a 1/2-inch iron rod found,
2. a distance of 365.16 feet with an arc of a curve to the left whose central angle is 10° 37' 16", with a radius of 1969.86 feet and whose chord bears N 35° 09' 27" E, a distance of 364.64 feet to a 5/8-inch iron rod found,
3. N 62° 41' 58" W, 0.33 feet to a 1/2-inch iron rod found,
4. a distance of 250.41 feet with an arc of a curve to the left whose central angle is 7° 17' 00", with a radius of 1969.86 feet and whose chord bears N 26° 09' 35" E, a distance of 250.24 feet to a 1/2-inch iron rod found,
5. N 22° 31' 02" E, 190.56 feet to a 1/2-inch iron rod found, being the southwest corner of the said 0.117 acre tract,
6. N 22° 29' 16" E, 100.05 feet to a 1/2-inch iron rod found, being the northwest corner of the said 0.117 acre tract, and being the most southerly southwest corner of the said 0.436 acre tract,
7. N 22° 26' 12" E, 133.97 feet to a point on a north line of the said 0.436 acre tract, from which a 1/2-inch iron rod found bears N 29° 49' 59" E, 3.49 feet,

THENCE, leaving the said east right-of-way line of Austin Dessau Road, and with the said north line of the 0.436 acre tract, S 68° 25' 00" E, 68.85 feet to a 5/8-inch iron rod found, on a west line of the said 0.436 acre tract,

THENCE, with the said west line of the 0.436 acre tract, N 22° 46' 00" E, 59.39 feet to a point, on a south line of the said 0.436 acre tract, from which a 1/2-inch iron rod found bears N 25° 53' 24" E, 3.67 feet,

THENCE, with the said south line of the 0.436 acre tract, N 68° 34' 00" W, 69.20 feet, to a point on the said east right-of-way line of Austin Dessau Road, from which a 1/2-inch iron rod found bears N 27° 39' 15" E, 3.47 feet,

THENCE, again with the said east right-of-way line of Austin Dessau Road, N 22° 26' 12" E, 121.30 feet to a 1/2-inch iron rod found, on the north line of the said 0.436 acre tract, being the most northerly northwest corner of the said 0.436 acre tract,

THENCE, with the said north line of the 0.436 acre tract, S 59° 45' 52" E, 96.08 feet to a 1/2-inch iron rod found, on a north line of the said 114.91 acre tract,

THENCE, with the said north line of the 114.91 acre tract, S 59° 47' 45" E, 99.96 feet to a 5/8-inch iron rod found, on a west line of the said 114.91 acre tract,

41.35 Acres
Parmer Park

FN00-086 (AY)
October 11, 2000
JOB NO. 050066.001.4.4052

THENCE, with the said west line of the 114.91 acre tract, N 29° 52' 45" E, 298.14 feet to a 1/2-inch iron rod with 2-inch aluminum cap found, on a north line of the said 114.91 acre tract, being the south right-of-way line of Parmer Lane,

THENCE, with the said south right-of-way line of Parmer Lane, the following three (3) courses:

1. S 56° 41' 36" E, 383.47 feet to a TxDot Monument with a 4-inch brass disc found,
2. a distance of 331.62 feet with an arc of a curve to the right whose central angle is 10° 29' 54", with a radius of 1809.86 feet and whose chord bears S 51° 26' 39" E, a distance of 331.16 feet to a TxDot Monument with a 4-inch brass disc found,
3. S 46° 12' 39" E, 462.83 feet to a 1/2-inch iron rod with a 2-inch aluminum cap found, on the east line of the said 114.91 acre tract,

THENCE, with the said east line of the 114.91 acre tract, S 32° 55' 11" W, 1342.16 feet to a 3-inch iron pipe found,

THENCE, leaving the said east line of the 114.91 acre tract, and crossing the said tract, N 59° 59' 12" W, 1225.40 feet to the **POINT OF BEGINNING** and containing 41.35 acres of land,

THE STATE OF TEXAS

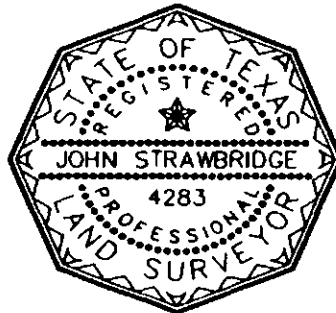
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, John Strawbridge, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12th day of October, 2000 A.D.

Carter & Burgess, Inc.
901 South Mopac Blvd., Suite 200
Austin, Texas 78746



John Strawbridge
John Strawbridge
Registered Professional Land Surveyor
No. 4283 - State of Texas

S 56°41'36" E
383.47'

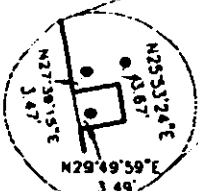
PARMER LN.

DELTA=10°29'54"
R=1809.86'
L=331.62'
CB=S51°26'39"E
C=331.16'

LOT 1
DESSAU
CORNER
SUBD
VOL 102
PG 335

G.T.E. MOBILNET
OF AUSTIN
VOL. 12387, PG. 217

100' LCRA ESMT
VOL. 629, PG. 411
VOL. 623, PG. 176
VOL. 629, PG. 121



DELTA=07°17'00"
R=1969.86'
L=250.41'
CB=N26°09'35"E
C=250.24'

PARMER PARK, L.P.
0.436 ACS.
DOC. 2000009698

PARMER PARK, L.P.
0.117 ACS.
DOC. 1999082661

DRAINAGE ESMT
VOL. 10623, PG. 986

41.35 ACS.

DRAINAGE ESMT
VOL. 10858, PG. 1010

DELTA=10°37'16"
R=1969.86'
L=365.16'
CB=N35°09'27"E
C=364.64'

N 59°59'12" W 1225.40'

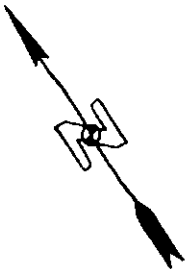
S 60°33'36" E
299.13'

POINT OF
BEGINNING

PARMER PARK, L.P.
REMAINDER OF 114.91 ACS.
DOC. 1999093012

SAMUEL CUSHING SURVEY NO. 70
ABST. 164

DESSAU RD



SCALE : 1" = 300'

OCTOBER, 2000

TRAVIS COUNTY, TEXAS

LEGEND

- IRON ROD FOUND
- TXDOT MON. FOUND
- IRON PIPE FOUND
- IRON ROD SET

POINT OF
COMMENCING

AML RESIDENTIAL PROPERTIES, L.P.
28.36 ACS
DOC. 200004179

LINE TABLE		
LINE	BEARING	LENGTH
L1	N40°28'05"E	11.95'
L2	N22°31'02"E	190.56'
L3	N22°29'16"E	100.05'
L4	N22°26'12"E	133.97'
L5	S68°25'00"E	68.85'
L6	N22°46'00"E	59.39'
L7	N68°34'00"W	69.20'
L8	N22°26'12"E	121.30'
L9	S59°45'52"E	96.08'
L10	S59°47'45"E	99.96'
L11	N29°52'45"E	298.14'
L12	N62°41'58"W	0.33'

DRAWING to ACCOMPANY FIELDNOTE No. FN00-086

Carter-Burgess
Surveying

Carter and Burgess, Inc.

901 South MoPac Expressway Bldg. V Suite 200
Austin, Texas 78746
(512)314-3100 Fax (512)314-3135

Exhibit "C-5"

Lot 1, Block A (65,540 s.f.)
DESSAU CORNER SUBDIVISION
Travis County, Texas

Tract 1, Parcel #02523006010000
Tract 2, Parcel #02523006020000

